

emerging media on behalf of clients with comparably complex, long-term goals. This includes general monitoring, analysis, trend identification, and message development. A team should be oriented for "first strike opportunities" and rapid response actions.

- **Third-party spokesperson development:** Syngenta recognizes that third parties need to be nurtured well in advance of when they may actually be needed, especially in a crisis situation. The organization also needs a network of general, everyday "go to" sources comprising civic and opinion leaders, community-based organizations, non-profits, advocacy groups, and others who recognize and appreciate the essential nature of our industry and all of its applications and benefits. There are times that the organization cannot move quickly enough to respond, or other sensitivities preclude it from doing so. The agency should demonstrate its ability to recruit/cultivate and manage the relationships of those who may speak for us when appropriate.
- **Media buying in embattled states (cost permitting):** The program should have the flexibility to shift as rapidly as the litigation and regulatory climate. The agency should be able to undertake local and sometimes regional media-buying activities, be experienced in planning and directing issue advocacy advertising campaigns and be knowledgeable of relevant publications and broadcast media, their audience influence, and strategic value. Advertising dollars must be made to go as far as possible and a well-reasoned, targeted approach is highly valued. This includes digital media.
- **Staff support:** The scope and scale of the project may require significant staff support and the agency is expected to have the capacity to provide such support as needed and directed.
- **Existing Advocacy Websites**  
Various advocacy Websites would become the responsibility of the agency for any future design, content and navigation. The agency also will be expected to develop and manage a stakeholder/ support network database as well as maintain a current database of news and trade media for clips. This would include strategic assessment and management of [www.atazine.com](http://www.atazine.com) and [www.atazinefacts.com](http://www.atazinefacts.com) to reflect developing scenarios.

#### Audiences

##### Primary:

Media  
Potential Jurors/Citizens of Illinois and other targeted states  
Employees  
Farmers  
Retailers/Distributors  
Ag industry groups  
Town/city officials  
University researchers

##### Secondary:

State/federal legislators  
State/federal regulators  
Public health officials  
Community Water Systems

#### *U.S. Chamber*

Developed and executed a nationwide editorial board campaign targeting over 75 members of the U.S. House of Representatives. The campaign included the development and dissemination of research materials, third-party surrogate promotion, and direct outreach to editors.

#### *National Restaurant Association*

Worked with NRA members to develop and distribute response messages to activist campaigns to tax, regulate and litigate the industry in response to misguided public messages on the impact of restaurant foods and practices relating to public health.

#### *Washington/Capitol Hill advocacy*

Regularly engage Washington press, media placements in widely-read Capitol Hill publications include *The Hill*, *Roll Call*, *Politico*, *National Journal* and many Washington-based environmental and public health media outlets.

### **Paid Media Campaigns**

Extensive paid media campaigns with many midwestern groups, including the Illinois Civil Justice League and the Texas Civil Justice League (regularly goes toe-to-toe with Dallas-based Baron & Budd on legislative issues in Austin). Multi-state paid media campaigns include efforts on behalf of leading national legal issue advocacy groups like the American Justice Partnership, American Tort Reform Association and US Chamber Institute for Legal Reform.

Representative Midwest paid media campaigns:

#### *Illinois*

Educated southern Illinois residents about the link between Madison County jackpot justice and the then crisis of doctors fleeing the state. Public anger led to the election of a pro-reform Supreme Court justice from southern Illinois and recognition from Madison County Chief Judge Ann Callis of the need for structural changes in the Madison County court system.

#### *Texas*

Created successful campaign by one of Texas' leading legal reform groups to defeat trial bar efforts to expand the state's *Qui Tam* or False Claims Act. Prevailed against a coalition of legislators elected

with millions of "Democratic Trust" dollars - a PAC which was headed up by Baron and Budd founder, the late Fred Baron.

#### *Michigan*

Defeated efforts by the trial bar and pro-regulatory activists to eliminate FDA drug immunity. Passage would have made the pharmaceutical industry liable for products that had already been approved by the Food and Drug Administration. Campaign featured a highly targeted multi-platform paid media effort in key legislative districts.

#### *Wisconsin*

Developed and implemented multiple paid media campaigns on key legal issues, budget battles, and Attorney General and Supreme Court rulings. Defeated trial bar efforts to repeal joint and several liability reforms. Highlighted lead paint rulings that held manufacturers liable even when there was no proof that their product was used. Effort led to shift in makeup of the State Supreme Court from a pro-trial bar majority to a pro-legal reform majority. Efforts featured both multi-market statewide paid broadcast media and micro-media campaigns focused on narrow geo and demo targets.

#### *Multi-State Lawsuit Abuse Tax*

Conceived, created and executed "Lawsuit Abuse Tax" campaign that branded lawsuit abuse as an economic crisis impacting middle class families. Multi-state campaign was centered on a broadcast television effort that fed viewers to a dynamic website that captured information on many thousands of supporters. Effort prepped the battlefield for local partners who followed up with campaigns designed to elect pro-reform Supreme Court candidates in targeted states.



## Situation Analysis

Companies have a lot at stake in the outcome of media battles over litigation: corporate reputation, product image, sales, a constricted regulatory environment, stock price, and the risk of copycat lawsuits.

To date, Syngenta enjoys an excellent corporate reputation, unfettered by the type of baggage that is carried by Monsanto and other companies. In our work with Syngenta, we have found that this unblemished record provides the company credibility with regulators and environmental NGOs not enjoyed by its competition. Importantly, Syngenta has not had to expend the vast resources others have in order to repair damage to their brand caused by highly contentious legal or regulatory disputes.

*This is a war that has a lot of fronts. One of the fronts is the battle for the hearts and minds of the American people.*

*— Member of the Castano Group, plaintiffs' attorneys that led the assault against the tobacco industry*

### Under Trial Lawyer Assault

Syngenta faces a proven trial lawyer strategy. Any defendant can count on trial lawyers to attack both the company's product and the company's integrity.

#### Attack the Product

Opponents will attempt to undermine the science, calling the methods regulators use "antiquated" and "inadequate" (if not unduly influenced by industry). They will work to establish atrazine as "unsafe at any level." To solidify their case, trial lawyers:

- Will seek to undermine the EPA, its scientific standards, its processes, and its regulatory oversight. Their aim will be to scare career bureaucrats, now under a new, Democratic administration, to soften or even reverse EPA's position on atrazine.

- Will seek to find a "whistle-blower" either in-company, in-state, at EPA, or at a local water district to claim cover-up and retribution.

*e.g. Someone like Paul Wotzka, a former employee at the Minnesota Pollution Control Agency, who claims he was fired for speaking out against atrazine. Following his dismissal from MPCA, Wotzka joined UC Berkeley biologist Tyrone Hayes, MN State Senator John Marty and MN State Representative Ken Tschumper for a public event decrying the use of atrazine in the state.*

- Will escalate their attack with further accusations like the ones Stephen Tillery has already made:

*"Their main argument is that the EPA has established that atrazine is safe. What the lobbying records will show is that Syngenta and its trade associations were inside the room when the EPA made that decision. They had special access. Environmental groups didn't have that kind of access. The public didn't even have that kind of access."*

#### Attack the Company

Opponents will characterize Syngenta as a greedy, foreign company that is willing to poison the water that America's children drink for the sake of profit.

As we have already seen, opponents will attempt to broaden dramatically the discovery process in hopes of finding a run-of-the-mill communication that they can turn into a "smoking gun." This will be a memo, email or some other routine communication taken out of context to "prove" that Syngenta knew all along that atrazine was dangerous but continued to produce and market it anyway. One such example is their citation of Syngenta's tracking of prostate cancer levels among its employees in the company's atrazine plant (see no. 11 in class action complaint, p. 4).

This strategy is well worn precisely because it works, time after time.

As you well know, the opposing counsel in this case has teamed up before, notably in *Graham v. Shell Oil Co.* and *Exxon Mobil Co., Village of East Alton v. Piasa Mot. Fuels, Inc. and Thomas Oil Co., Inc.* That, and other MTBE litigation, may well provide the roadmap of what we can expect in this case, especially Baron & Budd and Tillery's successful undermining of the



## Scope of Work

### Our Approach

Our communications program must be as thoroughly gamed out as the strategy of Syngenta's trial lawyer opponents. As with all litigation communications, our planning will be done in close coordination with Syngenta Crop Protection's legal counsel and communications team. The following represents our initial high-level thoughts.

### Goals

- Protect the company's brand and reputation.
- Reinforce atrazine's reputation for safety and its value to farmers regionally and to the nation's agricultural industry.
- Advance legal strategy outside the courtroom by:
  - Building strong public awareness of the economic costs and social ramifications if the litigation succeeds
  - Exposing the true nature of the opposition and the reputational costs to Madison County, Illinois – just emerging from its "judicial hellhole" status – that would result from a victory for trial lawyer firms from Texas and Missouri

To advance these goals, we propose a two-pronged approach, one led by the company, the other by third-party spokespeople and organizations.

### The Company

How the company communicates and responds to press inquiries and trial lawyer attacks will be as important as what it says. In all its communications the company must be fact-based, responsive, and accessible.

We will work with the company to:

- Provide accurate, easily digestible information on issues such as the EPA's regulatory process, Syngenta's full cooperation with it, atrazine's safety, the importance of herbicides and agricultural technology generally to America's agricultural/export economy, and the devastating economic impact a negative judgment would have on Syngenta's customers and farming communities.
- Develop company spokespeople, on the ground in Madison County, and eventually other target states.
- Manage litigation communications. Consulting closely with company attorneys to understand in detail the underlying legal issues, we will create an event tree based on foreseeable eventualities and prepare by developing messages and strategies dealing with them. This allows the legal team to fully vet communications well in advance and accelerates responses in crisis situations.
- We will provide media training for attorneys and other company spokespersons (researchers, scientists, executives) as necessary.

### Third Party Recruitment & Development

We will draw on deep and extensive relationships with leading national economic, agricultural and environmental policy leaders in prestigious think tanks, policy journals and top-tier universities. Simultaneously, we will mobilize field teams to build an impressive roster of atrazine advocates, with a primary focus on influencing Illinois citizens, as well as citizens of plaintiff water districts in Indiana, Iowa, Kansas, Mississippi and Ohio.

Third party voices include farmers, local retailers and distributors, Granges, farm bureaus, and ag industry groups, including corn (and sugar cane and grain sorghum) growers and allied industries that rely on corn as a key input, such as pork, beef and other producer groups. We will also engage allies in the tort reform movement (both in Illinois and nationally) and develop academic allies who can speak on the science as authoritative, independent third parties. Our efforts will include identifying supportive state and local officials, e.g. state legislators or city council members who disapprove of a city's participation as a plaintiff.



Third party allies will carry policy arguments, illustrating with their first-hand experience how vital herbicides are to farms, businesses and communities; and, if these suits are successful, what the cost will be, e.g. the effect on local employment, the squeeze on tight profit margins and potential bankruptcy of family farms, erosion of the tax base with its effect on schools and other services, and individual families (food costs). We will seek to use third party allies to strip away plaintiffs from the class action or, failing that, to shake up the plaintiffs and complicate life for the attorneys.

The media rarely will look into the motivations of corporate critics. Third party organizations can shed light on the agendas driving NGOs/activist groups and the profit motivations of the trial bar.

Depending on need and financial resources available, we can develop a national spokesperson, someone who is as adept at portraying local impacts as he/she is in addressing the economic, environmental and agricultural issues at stake.

### Themes

Clearly, as you can see from the above, every message we carry will contain the safety of the products, the soundness of the science and EPA regulatory process, and the economic cost to farmers, communities and ordinary families should this litigation prove successful.

It will be important to make the opposing counsel part of this story: digging into the trial lawyer firms' past cases, highlighting their questionable practices, and putting the two firms on trial in the media, through our farmers' associations, tort reform advocates and other allies. The narrative we will seek to establish: trial lawyer millionaires seeking another big payment at the expense of farmers and families.

On a national level it will also be important to fold atrazine into issues of broad public concern (mitigating global warming, feeding the world, biofuels). These issues can serve as hooks for editorial board meetings, op-eds, media interviews, and meetings with state/federal legislators.

### National, Regional, Local Media

We recommend a two-fold approach to media: rapid response and a sustained local and regional campaign.

#### Rapid response

Regularly canvas the news for coverage related to Syngenta and atrazine, coordinate with appropriate spokespersons and third parties, and prepare rapid response to reporters, editors and letters-to-editor within 24 hours. Remain on call to provide strategic counsel for Syngenta and develop statements/reaction to news developments over the course of the litigation process.

#### Local Campaign in Madison County, IL and Midwest States

##### Key local media contacts

Develop a thorough list of key local media in Midwestern states (agriculture, business, editorial page, radio/TV), prepare a top-tier list of reporters regularly covering the class action suit for regular communications from third party groups.

##### Proactive news development

Coordinate with third party groups to develop a communications timeline that regularly feeds the news with local events, study announcements, and other newsworthy communication products.

##### Op-eds

Because of the complexity of the issue, an aggressive op-ed strategy should be pursued to set the record straight on atrazine. An op-ed pipeline will be developed for third-party organizations based on a broad array of messaging and will be targeted to mainstream news, business publications and key trades. Published op-eds will then serve as a marketing tool to garner additional local media coverage on TV/radio, etc.

##### Editorial Boards

Cultivate/educate local editorial boards and work with reporters to fully bring them up to speed on the science and facts of the case, as well as the larger issues at stake, i.e. the economic impacts to their communities.

##### Radio/TV

Deliver a benchmark number of bookings on news/talk radio, farming networks and local TV each month.



We should keep in mind that media is not just a vehicle to disseminate our message but also an important audience that we have to engage and educate. It is particularly important that we prepare them in advance for predictable trial lawyer tactics so that, for example, when the inevitable "smoking gun" appears, they see it for what it is -- a typical trial bar ploy rather than some new, dramatic game changer in the case. We would look to tort reform allies to carry this type of message.

### **Academics/Think Tanks (Local & National)**

The trial lawyers are already drawing upon the support of a set of academics (i.e. UC Berkeley biologist Tyrone Hayes) and activists (i.e. NRDC). We will need to develop credible experts who can speak to the press and produce independent reports and studies in support of atrazine's safety and economic importance. Our efforts may include:

- Identify local university economist/agronomist to author study. Examine what severe restrictions on herbicides would mean to the local economy and farmer incomes.
- Hold public seminar at local land grant college/university with academic experts and press to explore these issues.
- Enlist national think tanks as public policy allies. E.g. Follow-up on the pesticide conference White House Writers Group organized at the American Enterprise Institute in Washington, DC (see above). Second conference would examine the atrazine case as part of the overall effort to import the EU's precautionary principle as a regulatory standard in the U.S.

### **Congress**

It will be critical to head off political support for the case and the trial bar's attempts to "turn" EPA, by engaging senators and members of congress from target states and alerting them to the significant economic impact a change in regulation would have on their constituents. Our goal would be to get several of them to take a public stand in support of farmers, EPA standards, and atrazine safety.

### **Developing and Managing Advocacy Website**

We recommend developing a new, consolidated website that would serve as the core online location for Syngenta's third-party spokespeople, an informational warehouse for Atrazine-related news, and an advocacy resource for the targeted audiences of this effort. After carefully assessing and reviewing the content housed on both [www.atrazine.com](http://www.atrazine.com) and [www.atrazinefacts.com](http://www.atrazinefacts.com), we would migrate that information to the new website.

The new campaign website would be designed to serve the following purposes:

- Consolidate [www.atrazine.com](http://www.atrazine.com) and [www.atrazinefacts.com](http://www.atrazinefacts.com) under one address, distinct from the Syngenta corporate website
- Design the website to appeal to the primary and secondary audiences of this initiative, with graphical treatments to reinforcing key messages
- To bolster the database of supporters for Syngenta, the website would provide an avenue for registration for potential supporters and advocates
- In the event of future stakeholder activations, the website would serve as a foundation to target federal or state legislative bodies, state governments, the executive branch, or regulatory agencies
- An information center housing containing media clippings, press releases, fact sheets, and white papers

See the appendix for a sample homepage highlighting the type of information and creative development that we would employ for Syngenta.

### **Social Media**

Our three-tiered approach includes monitoring, responding, and engagement.

#### **Monitoring**

Develop a comprehensive monitoring system of online sources (including social networks, blogs, forums, and websites of mainstream media) to



Services; changes in such decisions and approvals are subject to Section 1.2.

4. Work Product

Title to all work, reports, photographs, presentations, writings, ideas, designs and other information in any form that are created, developed, written, conceived, reduced to practice or made by WHWG (whether solely or jointly with others) as a result of or in connection with the Services performed hereunder (collectively, "Work Product") shall reside in Customer and shall constitute the sole property and Confidential Information of Customer and its affiliates and shall be subject to the confidentiality obligations set forth in Section 6 herein. WHWG shall make full disclosure to Customer of all such Work Product. WHWG agrees that all Work Product that is copyrightable subject matter shall be considered "work made for hire" within the meaning of the copyright laws of the United States and that Customer is and shall be the sole author of the Work Product and the sole owner of all rights therein in perpetuity.

5. Proprietary Materials

In the course of performance hereunder, WHWG may use products proprietary to it. Such proprietary products are WHWG Confidential Information for purposes of Section 6. Customer shall not have or obtain any rights in such proprietary products other than (i) a right to use such proprietary products as authorized by WHWG from time to time solely for purposes of performing the Customer Responsibilities or (ii) pursuant to WHWG's standard license for such proprietary products.

6. Confidential Information

6.1 WHWG warrants that it is presently, and will remain, for the period of this Agreement and any extension thereof, free from any commitments that would create a conflict of interest impeding the completion of its obligations hereunder. WHWG agrees that the secrecy provisions contained in this Agreement will apply to all arrangements entered into by WHWG and third parties. WHWG also agrees to notify Customer of any new agreements with third parties in the general area of this Agreement and certifying to Customer the absence of any conflicts of interest arising therefrom.

6.2 Without Customer's prior written consent, WHWG agrees not to use or disclose to others, and will regard and preserve as confidential, all information obtained by it in connection with or resulting from work hereunder. WHWG shall keep strictly confidential the substance of its discussions and conversations with, and its advice to, Customer personnel relating to this consultancyship, except that this Agreement shall not apply to any information which:

- A. is generally available to the public;
- B. becomes public information other than by an unauthorized act or omission by WHWG;
- C. as shown by written records, was known to WHWG prior to its receipt of such information from Customer; or
- D. is received by WHWG from third parties who were entitled to receive and transfer such information without obligations of confidentiality to Customer.

6.3 Upon expiration or earlier termination of this Agreement, WHWG agrees, if requested by Customer, to return or destroy all information received from Customer that is confidential or proprietary in nature, or which impacts upon any trade secrets of Customer, including documents that incorporate all or part of any such information, without retaining any copy or part thereof.

**From:** Ford Sherry USGR  
**Sent:** Wednesday, October 28, 2009 3:35 PM  
**To:** Carroll Beth USGR; Goldsmith Steven USGR  
**Cc:** Nadel Alan USGR  
**Subject:** RE: FINAL OPED's \*\*Attorney/Client Privileged\*\*

I assume this would come out of the same budget as our other comms efforts, but Alan will need to verify.

Also, approval of this op-ed occurred while I was out last Friday. I notice it contains the "3000 gallons a day" reference from Tim that is inconsistent with our other "21,000 gallon" reference. This should be fixed before distributing to a third party.

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**From:** Carroll Beth USGR  
**Sent:** Wednesday, October 28, 2009 4:22 PM  
**To:** Ford Sherry USGR; Goldsmith Steven USGR  
**Cc:** Nadel Alan USGR  
**Subject:** FW: FINAL OPED's \*\*Attorney/Client Privileged\*\*

Here's the 3<sup>rd</sup> party question.....I can probably ask Alex Avery but do we have any method for handling funding the 3<sup>rd</sup> party?

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**From:** Mike Burita [mailto:mikeb@quinnthomas.com]  
**Sent:** Wednesday, October 28, 2009 11:00 AM  
**To:** Carroll Beth USGR  
**Subject:** FW: FINAL OPED's \*\*Attorney/Client Privileged\*\*

Hi Beth – Hope you are well. It was nice seeing you in person again last week.

I've attached an oped that we are aiming to place on behalf of a third party in a DC based publication in advance of the SAP, most likely the Washington Times. The goal is to reach out to our likely DC allies (anti-regulatory, pro-ag, free market, conservative bloggers, etc.)

Elizabeth Whelan or the other gentleman at ACSH strike me as the best person to byline this piece. I know you're extremely busy, but I was hoping that you might be able to help me with a quick intro to them so I can follow up to see if they're interested in signing.

Thanks!

Mike Burita  
202.420.9361

----- Forwarded Message

**From:** Eileen Doherty <edoherty@whwg.com>  
**Date:** Tue, 27 Oct 2009 11:53:27 -0400  
**To:** Doug Badger <doug@quinnthomas.com>, Mike Burita <mikeb@quinnthomas.com>, "dave.flakne@syngenta.com" <dave.flakne@syngenta.com>  
**Subject:** FINAL OPED's \*\*Attorney/Client Privileged\*\*

Doug, Mike and Dave,



**From:** Flakne Dave USGR  
**Sent:** Thursday, October 29, 2009 5:05 PM  
**To:** 'jmorris@ddcadvocatcy.com'; Ford Sherry USGR; Goldsmith Steven USGR; Nadel Alan USGR  
**Cc:** 'crobling@jaynethompson.com'; 'jeff@dixonandcompany.com'; 'JGilder@whwg.com'; 'EDoherty@whwg.com'; 'jwinn@ddcadvocatcy.com'; 'doug@quinnthomas.com'; 'mikeb@quinnthomas.com'  
**Subject:** Re: 1st elected confirmed supporter - \*\*Privileged and confidential. Attorney work product. Prepared at the request of counsel.\*\*  
**Attachments:** image003.jpg

Any legislative move in Illinois will need to be led by our Ag Allies... Clearly if Syngenta decides that it is needed we will still want the effort run with and through the Ag Coalition Allies.

The last thing we want is to have legislation that is Syngenta driven with the trial lawyers on the other side of the issue. We absolutely want to have Illinois farmers and Illinois Ag Retailers (IL Voters) taking this forward.

That was the reason that I helped organize a meeting today between Chris and Jeff and all the key ag groups. I think they have a very good plan.

I understand why we want to know who will be supportive if and when we need them, but we want to make sure that this doesn't compromise our desire to keep the IL Ag Coalition out front leading these efforts.

We have a great team that is extremely committed to the cause.

I just wanted to clarify how we want this to work. We will all work to support these groups as they carry any bill or resolution that we want to promote.

Thanks,

DF  
David Flakne  
Syngenta, State Government Relations  
608-770-3525

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**From:** Morris, Jeffrey  
**To:** Flakne Dave USGR; Ford Sherry USGR; Goldsmith Steven USGR; Nadel Alan USGR  
**Cc:** crobling@jaynethompson.com ; jeff@dixonandcompany.com ; JGilder@whwg.com ; EDoherty@whwg.com ; Winn, Jaycee ; doug@quinnthomas.com ; mikeb@quinnthomas.com  
**Sent:** Thu Oct 29 17:41:49 2009  
**Subject:** Re: 1st elected confirmed supporter - \*\*Privileged and confidential. Attorney work product. Prepared at the request of counsel.\*\*

To clarify a little bit as I elaborated on the 2pm call- Jeff has very good relationships - years and years of close knit relationships - with legislators in Springfield.

We are not asking for legislative activity at this time nor requesting they act publicly on the issue; we are gauging the support of potential very important allies should a state or federal legislative play be the direction we decide to take.

Thanks,  
Jeff

**From:** dave.flakne@syngenta.com  
**To:** Morris, Jeffrey; sherry.ford@syngenta.com ; steven.goldsmith@syngenta.com ; alan.nadel@syngenta.com  
**Cc:** crobling@jaynethompson.com ; jeff@dixonandcompany.com ; JGilder@whwg.com ; EDoherty@whwg.com ; Winn, Jaycee; doug@quinnthomas.com ; mikeb@quinnthomas.com  
**Sent:** Thu Oct 29 17:35:02 2009  
**Subject:** Re: 1st elected confirmed supporter - \*\*Privileged and confidential. Attorney work product. Prepared at the request of counsel.\*\*

We need to talk... I talked to our allies in Illinois. Jeff and Chris, it sounds like you had a great meeting.

It sounded like there was a general agreement by all that we should not make this an issue this fall with legislators. The ag coalition is very supportive but they also don't think that we should make this an issue.

They are also very supportive and believe that we can pursue a "Resolution supporting the atrazine to the state of Illinois" but this would be worked after the veto session and we would likely be able to get a resolution early in the session next year...

I just want to make sure that we all are aware of the plan discussed with our Ag Allies. And that we are all working the same plan on the same time line.

Chris and Jeff can you chime in here with the discussion you had today with all of the ag groups.

Thanks,

DF  
David Flakne  
Syngenta, State Government Relations  
608-770-3525

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**From:** Morris, Jeffrey  
**To:** Ford Sherry USGR; Goldsmith Steven USGR; Nadel Alan USGR; Flakne Dave USGR  
**Cc:** Chris Robling ; Jeffrey A. Dixon ; Josh Gilder ; Eileen Doherty ; Winn, Jaycee ; Doug Badger ; Mike Burita  
**Sent:** Thu Oct 29 11:44:35 2009  
**Subject:** 1st elected confirmed supporter - \*\*Privileged and confidential. Attorney work product. Prepared at the request of counsel.\*\*  
Good Morning Everyone:

State Representative Patrick J. Verschoore (D-72), Vice Chairman of the Illinois House Agriculture and Conservation Committee, is supportive of our cause and has agreed to assist us as needed. Verschoore represents Rock Island County, located on the northwest border of the state. 2000 census numbers indicate a median household income of roughly \$38,000, below the national average. Roughly 20 percent of the county's employment comes from manufacturing. They also seem to have an active county farm bureau. Their newspaper, The Quad City Times, cover the Davenport, Bettendorf, Moline, Rock Island and the Quad Cities area of Iowa and Illinois.

Looking forward to our conversation at 2.

Thanks,

Jeff

Jeffrey Morris  
~~DDCA Advocate~~  
44 Canal Center Plaza | Suite 210 | Alexandria, VA 22314  
o: 703-299-1279 | c: 202-631-2306 | fx: 888-748-2796  
[jmorris@ddcadvocacy.com](mailto:jmorris@ddcadvocacy.com)





December 2, 2009

MEMORANDUM FOR SHERRY FORD

FROM: The White House Writers Group

SUBJECT: ROUNDUP MEMO

As we move into the third month of our engagement with you, we thought it might be helpful to review all that we have worked on from October 7 through November 20. In this memo we have included all collateral materials, briefings that were conducted and outreach efforts with the media, elected officials and third parties. Many of these are ongoing projects that will need to be updated periodically such as our outreach efforts with media and third party recruits.

**Drafted General Collateral Background Materials**

- Fact sheet
- Frequently Asked Questions
- Atrazine Sound Science
- Atrazine Q&A

**October 28 Prep For Lawsuit**

- Drafted four Op Ed's
- Outreach and development of third party signers
- Developed list of potential supporters in state legislature for future support as lawsuit moves forward.
- Recruited Allies: We had initial contact with the following and these are precisely the types of people we would approach in additional states should you decide to go that route.
  - State Representative Patrick J. Verschoore (D-72), Vice Chairman of the Illinois House Agriculture and Conservation Committee, is supportive of our cause and has agreed to assist us as needed. Verschoore represents Rock Island County, located on the northwest border of the state. 2000 census numbers indicate a median household income of roughly \$38,000, below the national average.

Roughly 20 percent of the county's employment comes from manufacturing. They also seem to have an active county farm bureau. Their newspaper, The Quad City Times, cover the Davenport, Bettendorf, Moline, Rock Island and the Quad Cities area of Iowa and Illinois.

- State Senator John M. Sullivan (D-47), Chairman, Majority Appropriations, former chair of the Senate Agriculture Committee, and member of Senate President John Cullerton's leadership team. Sullivan is a family farmer whose district borders Missouri. He has offices in Quincy and Macomb, in Adams County. It is considerably rural. The median income for a household in the county was \$34,784, and the median income for a family was \$44,133. The per capita income for the county was \$17,894.
- State Representative Don Moffitt (R-74). Moffitt sits on the House Agriculture and Conservation Committee and represents Galesburg in Knox County, and is also considerably rural. The median income for a household in the county was \$35,407, and the median income for a family was \$44,010. The per capita income for the county was \$17,985. Moffitt also has a farming background.
- State Representative Lisa Dugan (D-79). Dugan sits on the House Agriculture and Conservation Committee and represents parts of Kankakee County, located on the border of Indiana just south of Cook County. The median income for a household in the county was \$41,532, and the median income for a family was \$48,975. Dugan is a member of IBEW Local 176 and is also the former president of the Bradley-Bourbonnais Chamber of Commerce.
- State Senator John Jones (R-54). Jones is the Assistant Minority Leader of the State Senate and the Minority Spokesman on the Senate Agriculture Committee. He represents the Jefferson County area in south central Illinois. The county is rural, with a median income for a household in the county was \$33,555 and the median income for a family was \$41,141. Prior to becoming State Senator, Jones served in the United States Air Force.

#### **November 3 Prep for SAP**

- Editorial input on EPA docket submission
- Developed EPA backgrounder
- Extensive briefing from Tim Pastoor on various Ag studies
- Conducted Murder Board to prep Tim Pastoor for media interviews prior to November 3 SAP. This involved message development and developing specific Q&A for that day.
- Coached and took part in all media interviews with Tim Pastoor on November 2. This also involved pitching reporters and booking interviews.
- Briefed by Janis McFarland and team in Washington to get a clear understanding of EPA history, process and contacts to leverage.



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**From:** Clark Judge [cjjudge@whwg.com]  
**Sent:** Friday, December 11, 2009 10:24 AM  
**To:** Nadel Alan USGR  
**Cc:** Ford Sherry USGR; Goldsmith Steven USGR; Eileen Doherty; Joshua Gilder; Adam D'Luzansky  
**Subject:** Attorney-Client Privileged and Confidential Information: Strategy  
**Attachments:** Combined Strategy.doc

Alan/Sherry,

Last night we sent the attached memo, prepared at Sherry's request. We neglected to put on the "Attorney-Client Privileged and Confidential Information" notice or to address the email to Alan. The corrected version is attached. Please dispose of the previous version.

Clark

**From:** Josh Gilder [joshgilder@aol.com]  
**Sent:** Friday, December 11, 2009 10:32 AM  
**To:** Nadel Alan USGR; Ford Sherry USGR; Goldsmith Steven USGR; Kelly Dennis USGR; Clark Judge; Jeffrey Morris; Eileen Doherty; Adam D'Luzansky; jthompson@jaynethompson.com; Chris Robling  
**Subject:** Important intel from Illinois -- \*\*Privileged and confidential. Attorney work product. Prepared at the request of counsel.\*\*

**\*\*Privileged and confidential. Attorney work product. Prepared at the request of counsel.\*\***

Alan: we'd like to set up a call today to discuss something we recently learned re Illinois. Would you have any time after 1:30 PM?

In brief:

Our man on the ground in Illinois, Jeff Dixon, recently spoke with Mike Frerichs (D-52), who is vice-chair of the agriculture and conservation committee in the Illinois Senate. Mike reported that he had been asked by the Senate Whip John Cullerton to meet with "a trail layer." The lawyer, whom Frerichs believed was Tillery (he couldn't recall the name with certainty) tried to enlist him in an effort to pass legislation to ban atrazine.

Frerichs told Jeff he is a friend of the farmer and wants to do what he can. He believes that he can keep the legislation from moving in his committee. His concern is if it gets in the hands of Susan Garret, who runs the environment committee. She is also on the Senate leadership team and is tight with Cullerton. Frerich's wants to fight this, but says he needs "air cover" from Jeff Dixon.

Look forward to speaking with you and the team at your earliest convenience.

Best, Josh

Josh Gilder  
Senior Director  
The White House Writers Group  
1025 Thomas Jefferson Street, NW  
Suite 110G  
Washington, DC 20007  
(202) 783-4600

\*\*\*\*\*



**From:** Clark Judge [cjjudge@whwg.com]  
**Sent:** Wednesday, December 02, 2009 4:51 PM  
**To:** Goldsmith Steven USGR  
**Cc:** Ford Sherry USGR; Eileen Doherty; Joshua Gilder  
**Subject:** 30-60-90 Day Memo from WHWG

Steve,

You have asked for a memo outlining tasks we see for the next 30, 60, and 90 days.

Our answer follows:

**Strategy**

- To inform farmers and agricultural interests throughout target states — particularly states that are pivotal in presidential politics — of a) the economic danger that EPA's anticipated actions pose to them personally; b) to assure them that in using the substances in question, they have nothing to apologize for in terms of public health and safety. X
- To draw national media attention to developing anger and opposition in the target states — particularly those that are pivotal in presidential politics — raising national media questions about why the administration is, in essence, attacking the farm economies of states critical to its reelection and its party holding Congress. X
- To prompt members of Congress in the target states to distance themselves from EPA, whether with a "Dear Colleague" letter or calling for a hearing to determine when the process has been so ignored on the basis of press reports and questionable science. X
- To prompt the White House to look for ways to take the atrazine issue off the table.
- To create a state of affairs in which the new political leadership at EPA finds itself increasingly isolated with stories circulating that they are making unnecessary trouble for the administration and the president in key states and with key constituencies. X

**Why:** In Washington such a state of affairs typically leads to the White House finding a way to shut down the offending activity within the errant agency.

**How:**

**I. Themes, Voices, Targets:**

**Themes:** We must make both the environmental (banning or curtailing atrazine would hurt, not help, the environment) and economic cases (banning or curtailing atrazine would devastate the economies of targeted farm states and communities). X

**Voices:** We will need appropriate people to advance each case. Some will be company employees, while some must be neither Syngenta employees nor consultants.

**Environment:** We would like to recruit two or three independent scientists, PhDs who know the research regarding atrazine and agricultural chemicals generally. We would ask them to produce op-eds and be available for interviews regarding atrazine's safety, its environmental benefits, and the bogusness of attacks based on news clips and papers that are not peer reviewed in which the scientist will not release his data.

**Economics:** Farmers and farm organizations of all kinds will be our best spokespeople on economics. We need to approach them, determine the extent to which they are ready to engage their members and farm communities, and work out a plan they accept for activating them.

**Targets:** We need to activate activities in two kinds of states and Congressional districts — those that matter to key members of Congress and those that matter to the White House.

**Congressional Districts:** Syngenta's lobbying staff and DDC will be able to develop this list.

**White House:** Ohio, Indiana, Iowa, Kansas, and Florida have been the major battlegrounds of presidential politics for the last several election cycle and all flipped from Bush in '04 to Obama in '08.

- These Midwestern states are all major corn, cattle, and hog producers.
- Florida has its sugar industry but also citrus. Citrus farmers use ametryn and other triazines. Florida's largest sugar producer is also one of its largest orange producers and, if recruited, could help recruit the Florida citrus industry.

**II. To Dos in Target States:**

**Earned Media:**

**Scientists:** After recruiting a science team:

**Media:** a) help them draft and place op-eds all over the farm areas of the target states; b) distribute the op-eds to target editorial boards, reporters, ag radio, talk radio producers and hosts in the target states; c) offer the scientists for interviews.

**Petition:** Working with this science team, gather large numbers of signatures from agricultural scientists in Midwestern and Florida universities expressing confidence in atrazine and concern about the EPA process.

**Farm Groups:**

**Media:** Our team will provide talking points and fact sheets to give to media. In target states, we should use farm group spokespeople to: a) brief reporters, b) brief editorial writers, c) give radio interviews, d) give talk radio interviews, e) sign op-eds.

- **Presidential-target states:** Be prepared to use Syngenta staff and consultants to line up interviews and briefings. These are the top priority states and we should make sure that nothing slips.
- **Congressional-target states:** Rely primarily on the organizations themselves to line up media.
- **Op-ed drafting and placement:** Our team will do.

**Reaching Farmers Directly:** Rely on the farm groups to communicate directly with farmers for making their views known to members of Congress, with encouragement and assistance from our team as we determine it is needed.

**Paid Media:**

**Radio actualities:** Using both scientists and farm groups spokespeople in target states.

**Radio advertising:** For ag radio in presidential target states.

**III. To Dos in National Media:**

**National Media Briefings:**

**WSJ:** Brief *Wall Street Journal* editorial board on substance of issue;

- **National Substance Story:** to use editorials at *WSJ* to build awareness of substantive issues (safety, environmental impact, economics) in both Washington and target states and reinforce Washington awareness of developing problem for members and the president that the challenge to atrazine poses.

**Political Media:** Brief *WSJ* ed board and others (*Politico*, for example) on developing presidential politics of the issue.

- **National Political Story:** to use story of anger in ag areas to develop mainstream media stories about impact on Democratic Congressional majority's chances in 2010 and on presidential politics.

**IV. Timetable:**

**Day 1-30:** a) recruit/brief science team; b) recruit/brief farm organizations in all target states; c) prepare briefing materials and talking points; d) prepare media lists; e) conduct initial opinion research to refine messages.

**Day 31-60:** a) draft/place op-eds for both science and farm group spokespeople; b) begin media briefing schedule for farm group spokespeople (scientists made known to reporters and editorial boards but not pushed at them); c) begin radio actuality program; d) organize radio interviews for farm group spokespeople and for scientists; e) encourage farm groups reach out to members.

**Day 61-90:** a) continue prior activity; b) develop national stories designed to lead members of Congress to distance themselves from EPA and White House to look for ways to bring EPA into line.



**From:** Goldsmith Steven USGR  
**Sent:** Thursday, January 14, 2010 8:31 AM  
**To:** Ford Sherry USGR  
**Subject:** FW: Draft Agenda for tomorrows call

We'd like you on the agenda briefly this afternoon to discuss the NPR piece (and other inquiries on the PAN report). Let me know if there's anything else you think we should add this week.  
Steve

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**From:** Eileen Doherty [mailto:edoherty@whwg.com]  
**Sent:** Wednesday, January 13, 2010 6:06 PM  
**To:** Goldsmith Steven USGR  
**Cc:** Adam D'Luzansky  
**Subject:** Draft Agenda for tomorrows call

Hey Steve,

Here is a draft agenda for tomorrow's call. Let me know if you have any additions to it and we will send it out in a separate e-mail to all of the participants.

#### AGENDA FOR JANUARY 14

##### EPA/SAP

- Media Outreach for February SAP
- Op-Ed's that were rewritten to bring up to date – we need to identify signers
- NPR - "Living On Earth" - Sherry to brief everyone on the Pastoor Interview on that show

##### ILLINOIS LAWSUIT

- Assign who will identify groups and assemble lists of realtors/Holiday Shores residents/growers
- Determine collateral materials needed for briefing these folks
- Determine who will actually be reaching out to these individuals
- Editorial Board meetings for Illinois papers slated for Feb/March

That is what I have. Please let me know if you have any additions and we will send out to the group ASAP.

Thanks Steve,

Eileen

**PRIVILEGED AND CONFIDENTIAL, PREPARED AT THE REQUEST OF  
ATTORNEY**

January 25, 2010

**MEMORANDUM FOR     ALAN NADEL**

**FROM                     CLARK S. JUDGE  
                             WHITE HOUSE WRITERS GROUP, INC.**

**REGARDING             ATRAZINE: STRATEGIC ISSUES**

Following is our memo on strategy and budget for addressing the EPA challenge. The memo looking back on the last four months will come later. The list of activities and deliverables is long and will require a little more time to assemble.

**Messages**

- Core messages will be: a) atrazine is safe; b) banning or curtailing use of atrazine would hurt, not help, the environment; c) banning or curtailing atrazine would devastate the farm economies in corn, sugar, beef, hog and chicken growing states and communities; d) EPA's political leadership is undermining the agency's long-established review process; e) EPA's move toward the precautionary principal represents a major change in how it does things with major ramifications for the nation.
  - Science v. politics: Regarding science, it is important to keep in mind that the major players in Washington do not understand science. We believe this includes the new political management driving the atrazine review at EPA. Instead, Washington understands consensus, elections and votes. So, while making the case on science, our strategy will highlight that the weight of opinion in agricultural science is against the EPA initiative and then focus on mobilizing farm opinion in selected farm states.
  - Research: Working with Sherry and Steve we have lined up McLaughlin & Associates to refine messages targeted beyond the narrow groups and officials active on atrazine issues.

**Strategy**

- Target farmers and agricultural interests throughout target states: a) to clarify for them the economic danger that EPA's anticipated actions pose to them personally; b) to assure them that use of atrazine is consistent with public health and safety; c) to inform them of the EPA's deviation from its long-established process and standards; d) to help them voice their concerns.
- Target the vast majority of agricultural scientists who understand the safety and benefits of agricultural chemicals generally and atrazine specifically: to help them voice their concerns.
- Subsequently target national media: as farmers and scientists become more vocal, we will draw the national media's attention to them — particularly to those in



states pivotal in presidential politics -- raising questions about why the administration is attacking the farm economies of states critical to its reelection and to its party holding Congress.

- The goal will be to prompt members of Congress in the target states to distance themselves from EPA through: a) a "Dear Colleague" letter; b) calling for a hearing to determine why the normal process has been ignored on the basis of press reports and questionable science; c) asking pointed questions at normal oversight and appropriations hearings; or d) by whatever means they see fit.
- With stories circulating that they are making unnecessary trouble for the administration and the President in key states and with member of Congress distancing themselves from them, the new political leadership at EPA will be seen as a liability to the president.
- **Endgame:** In Washington such a state of affairs typically leads to the White House finding a way to shut down the offending activity within the problem agency.

#### **Plan:**

##### **I. Themes, Voices, Targets:**

**Themes:** We must make both the human health/environmental case (atrazine is safe and banning or curtailing it would hurt, not help, the environment) and economic cases (banning or curtailing atrazine would devastate the economies of targeted farm states and communities).

**Voices:** We will need appropriate people to advance each case. Some will be company employees, but most must be neither Syngenta employees nor consultants.

- **Public Health and Safety/Environment:** We would like to recruit two or three independent scientists, PhDs who know the research regarding atrazine and agricultural chemicals generally. We would ask them to produce op-eds and be available for interviews regarding atrazine's safety, its environmental benefits, and the bogusness of attacks based on news clips and papers that are not peer reviewed in which the scientist does not release his data.
- **Economics:** Farmers and farm organization representatives will be our best spokespeople on economics. We need to approach the various state and national farm organizations, determine the extent to which they are ready to engage their members and farm communities, and work out a plan they accept for activating them.

**Targets:** We need to identify key Congressional districts, the states of key senators, and states that matter in presidential campaigns where the economic impact of EPA's initiative will be greatest.

**Congressional Districts:** Attached is DDC's list of twenty-eight congress members and 21 senators provided.

**White House:** Ohio, Indiana, Iowa, Kansas, and Florida have been the major battlegrounds of presidential politics for the last several election cycle and all flipped from Bush in '04 to Obama in '08.

- The Midwestern states are major corn, cattle, and hog producers.

- **National Political Story:** to use story of anger in agricultural areas to develop mainstream media stories about impact on Democratic Congressional majority's chances in 2010 and on presidential politics.

**Think Tanks:** Brief fellows at think tanks that are natural allies in this issue. These include American Enterprise Institute, Hudson Institute, the Heritage Foundation and others.

- **Precautionary Principal:** Our goal will be to encourage op-ed writing and other activities to advance our case on the science, the economics, and the politics. We expect that think tank fellows together with *Wall Street Journal* editorial board members will be the writers most inclined to view the atrazine initiative as a step in instituting the precautionary principal in the United States.

**Television:** Television must be approached with care, but there are potential allies in it.

- **John Stossel:** For example, one major television journalist is all but certain to understand the science and economics of the atrazine issue and the precautionary principal agenda underpinning it. His name is John Stossel, and he has long been unusually influential. Stossel recently moved from ABC to Fox News Channel. We have already pitched his producer on the atrazine story.

**Web and Social Media:** Social media should be address several ways:

- **Blogging Presence:** We will encourage one or more respected bloggers to focus on the atrazine.
- **Wikipedia:** We will engage someone with the knowledge and authority to revise Wikipedia's atrazine. We anticipate a spirited battle over the page, with activist de-revising almost as fast as we revise, going back and forth, perhaps for months. So the authority in question will need to be, not only knowledgeable, but enthusiastic. And he or she will need to be compensated for the time involved, a cost that is not included in the budget below.
- **FaceBook:** Working with of these authorities, we will establish and maintain a pro-atrazine site on FaceBook. We will use it to comment on news around atrazine and alert followers to upcoming events. Again, the cost of our authority is not part of this budget.
- **Monitoring, responding, engaging:** We will monitor what is said on the web and to respond to critics and or to engage allies to push forward the facts of the case, as appropriate.

**Rapid Response:** Working with the scientific and farmer allies we assemble, we will develop a rapid response team to answer print, online, and broadcast misstatements about atrazine.

### **Budget:**

Following is the budget for this EPA-focused campaign. These fees are in addition to the retainer for *Holiday Shores*.



- *Management, messaging, writing, development of third party allies, relations with major opinion journals – White House Writers Group: Budget: \$60,000/month.*
- *News-Side Media Relations – Quinn Thomas: Budget: \$20,000/month.*
- *Grassroots/Web Support Component – DDC: The grassroots component is potentially the most expensive part of the campaign. Price will be a function of number of states targeted, amount of work that the Syngenta state relations staff handles and that the farm organizations agree to take up. Please note that funding the grassroots piece will be a tremendous benefit for our work on the media side. Expanded field capacity (i.e. over and above the Syngenta regional staff) will help us deliver more local hits. Those two activities will have a dynamic impact on one another. So we need to get the state relations people and DDC in a room and have them agree on roles. Then we can put a price tag on this component. Budget: Dependent on talks.*
- *Science and Think Tank Advocates: We believe some funds will be required in this area. We need to approach the officials in the organizations and determine what is required. Budget: Estimated at \$100,000 for the campaign.*

On Jan 31, 2010, at 9:03 PM, <[steven.goldsmith@syngenta.com](mailto:steven.goldsmith@syngenta.com)> wrote:

Clark, Josh -

Chris has also been in discussions with the group recently as it relates to the litigation. We all need to do a better job of coordinating across work flows to ensure we don't have duplications such as this. I think this is a great example of how well connected and proactive both firms are in terms of achieving our goals. We just need to make sure we're sharing information directly between firms more consistently.

Chris had been talking with Dean about setting up a meeting this Thursday with Dean and Kurt and Alan to discuss the case. Let's make a time to talk on Monday to decide the best approach for moving forward on this.

Thanks to all for your efforts and teamwork.  
Steve

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**From:** Josh Gilder [<mailto:joshuagilder@gmail.com>]

**Sent:** Sunday, January 31, 2010 9:16 AM

**To:** Ford Sherry USGR; Goldsmith Steven USGR; Nadel Alan USGR

**Cc:** Clark Judge; Adelman Jessica USWS; Eileen Doherty; Adam D'Luzansky; [joshuagilder@gmail.com](mailto:joshuagilder@gmail.com)

**Subject:** Federalist Society \*\*Privileged and confidential. Attorney work product. Prepared at the request of counsel.\*\*

**\*\*Privileged and confidential. Attorney work product. Prepared at the request of counsel.\***

Sherry/Steve:

Good news about our approach to the Federalist Society. This note is just by way of a heads up. Perhaps if we have a moment free during the SAP we can talk this through in person.

In North Carolina, we talked about the need to enlist independent legal experts who could comment in support of our case to reporters, in already-established blogs, and in 3<sup>rd</sup> party opeds.

On Friday, Clark met with Leonard Leo, the Federalist Society's executive director, and Dean Reuter, the director of practice groups. The Federalist Society link is here:

<http://www.fed-soc.org/>

The Federalist Society has some 30 thousand members with chapters in 60 cities across the country. It was founded by Ed Meese, Robert Bork and Ted Olson (Solicitor General under Bush), and its membership has included Supreme Court Justices Sam Alito, John Roberts and Antonin Scalia.

The members are broadly free market and conservative/libertarian in orientation, and strongly informed on law and economics as it relates to regulation. Many of its members write and blog frequently.

After Clark briefed Leonard on atrazine, he said he would be happy to invite SYN/WHWG to give a presentation/briefing to the executive committee of their environmental law practice. Many of the society's members take an intense interest in the field of environmental law.

The executive committee meets every month. The next meeting is next Friday, which is probably too soon, but we could probably do the next one. They'd like us to give the low-down on atrazine and the EPA's move toward adoption of the precautionary principle.





Date: May 10, 2011  
To: Clark Judge, Josh Gilder, White House Writers Group  
From: Andrew Gabron, Jeff Morris, DDC Advocacy  
Re: 2010 Grasstops, Grassroots Campaign

**Strategy:** Target five key states for contested, nationally watched 2010 Senate and Gubernatorial races (Florida, Ohio, Iowa, Indiana, Colorado), to engage the ag community to oppose a politicized EPA and support the farm economy.

**Campaign Scope:** Florida, Ohio, Iowa, Indiana, Colorado over rolling 12-month period.

**Tactics:** Engage the ag community (farmers and suppliers) in key electoral states

- a. Utilize DDC Advocacy Center to engage constituents in targeted states and districts to write letters to legislators and candidates opposing politicized EPA; supporting farms, local economies
  - Success measured by number of letters generated (estimated 25-50/month depending on political landscape and potential);
  - Utilize coalition website to reach out to electorate, push messages (measured by number of new registrants, materials downloaded, letters generated).
- b. Engage Grasstops
  - Leverage DDC Advocacy field operatives to identify key influentials to contact targeted legislators requesting their opposition to the politicization of the EPA's SAP process regarding atrazine; and supporting farms, local economies;
  - Success measured by deliverables generated: letters from state legislators, chambers, political kitchen cabinet members, and ultimately the target's signature on the Dear Colleague (to be handled by Syngenta's lobbying team);
  - Leverage new relationships with agriculture community and key influentials to pitch earned media in targeted states and districts via Quinn Thomas.

**Targeted Candidates/Lawmakers:**

Following are our top five target states. Each went for Bush in 2004 and Obama in 2008. Three are major corn producers. Florida is a major sugar state. Colorado is large in corn and cattle. Four have U.S. Senate seats in play this year, the other a Democratic governor up for reelection. Goal: key Democrats call publicly and privately for Administration to back off.

- Florida: Congressman Kendrick Meek (D), Candidate for U.S. Senate
- Ohio: Lee Fisher (D) /Jennifer Brunner (D), Candidates for U.S. Senate
- Indiana: Senator Evan Bayh (D) incumbent in highly-contested re-election race
- Colorado: Senator Michael Bennet (D), incumbent in highly-contested re-election race
- Iowa: Governor Chet Culver (D), incumbent in highly-contested re-election race

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ORDER IN ATRAZINE LITIGATION

SYN04755935

**Cost: \$50,000 per month**

**Campaign Scope:** Illinois (if attorneys say OK), Arkansas, Pennsylvania, Missouri, Wisconsin over rolling 12-month period.

Tactics: Engage the ag community (farmers and suppliers) in key electoral states, using capabilities outlined above. Pennsylvania and Wisconsin could be in play in 2010 after going for the president in 2008. The narrowest GOP win in 2008, Missouri could be, too. Meanwhile, an Illinois White House is likely to be especially sensitive to developments in Illinois. The open Senate seat will give friends of the president and his senior staff frequent reasons to deliver updates. Arkansas is on because of Lincoln.

**Targeted Candidates/Lawmakers**

- Pennsylvania: Senator Arlen Specter (D), incumbent in highly-contested re-election race
- Missouri: Kit Bond is retiring. Democrats hold the other Senate seat and the governorship. The president lost the states in 2008 by 0.14%. This has to be a state to which the White House pays close attention.
- Arkansas: Senator Blanche Lincoln (D), incumbent in highly-contested re-election race
- Illinois: Open Senate Seat, Congressman Mark Kirk (R) vs. Alexi Giannoulias (D)
- Wisconsin: Senator Russ Feingold (D) may face tough challenge from former Gov. Tommy Thompson

Because of the importance of corn to their economies, we were tempted to add Minnesota and Nebraska, perhaps even South Dakota, to the list. But no Senate seats are up in Minnesota and Nebraska in 2010. South Dakota's John Thune faces reelection, but is utterly safe. And none of these states is likely to be a swing state in the next presidential contest.

**Cost: \$10,000 per state, per month**

Each targeted legislator will receive, over the course of the campaign, 25 – 50 grassroots letters from constituents per month of active grassroots campaign, contacts from "Key Influentials" (state legislators, business and community leaders, and political kitchen cabinet members, among others), and we will work with Quinn Thomas to generate opportunistic earned media in the form of opinion editorials, letters to the editor, editorial board meetings, and radio interviews. "Key Influential" contacts include letters with appropriate letterhead, calls/emails to senior staff members and/or the legislator, direct meetings with senior staff members and/or the legislator, and "intercepts" – direct impromptu contact with legislators at social and official events.

It should be noted that, in order to be fully effective, we will need to work closely with Syngenta's state relations team in order to appropriately engage industry allies as well as those not directly connected to Syngenta's staff.

If a target has sufficiently supported our position in advance of the proposed timeline, it is possible to "shut down" the target and replace them with new targets.